



Austin City Council MINUTES

For NOVEMBER 21, 1985

Council Chambers, 307 West Second Street, Austin, Texas

City Council

Frank C. Cooksey
Mayor

John Treviño, Jr.
Mayor Pro Tem

Council Members
Mark Rose
Smoot Carl-Mitchell
Sally Shipman
George Humphrey
Charles E. Urdy

Jorge Carrasco
City Manager

Elden Aldridge
City Clerk

Memorandum To:

Mayor Cooksey called to order the meeting of the Council, noting the absence of Councilmember Urdy, who entered the Council Chamber at 1:23 p.m.

RECESS

Council recessed its meeting at 1:24 p.m. for a Housing Finance Corporation Meeting and resumed its recessed meeting at 1:25 p.m.

MULTIFAMILY HOUSING REVENUE BONDS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving \$8,600,000.00 to Austin Housing Finance Corporation Variable Rate Demand Multifamily Housing Revenue Bonds, Riverchase Apartments Project, 1985 Series A. (6-0 Vote, Councilmember Urdy absent.)

RECESS

Council recessed its meeting at 1:27 p.m. for the Austin Development Corporation meeting and resumed its recessed meeting at 1:30 p.m.

CITIZENS COMMUNICATIONS

Mr. Terry Irion discussed the need for keeping the City Code updated on a timely basis. He asked that the City Clerk send a copy of each ordinance to the Municipal Code Corp. as it is passed. Mayor Cooksey agreed the Code should be brought up to date and asked the City Attorney and City Manager to look into this and report their findings to Council.

Ms. Earnestine Kornfuehrer discussed the need for an addition to the Sound Ordinance. She represented 50 households who are affected by the noise of dumpsters from midnight to 6 p.m. in their neighborhoods. She proposed Council should modify the Sound Ordinance to deny service of dumpsters between 10:00 p.m. and 6:00 a.m. where neighborhoods and businesses meet. Councilmember Carl-Mitchell directed the City Manager to find out what other cities have done and asked the City Attorney to draft an ordinance concerning dumpsters operating at night in a neighborhood. Councilmember Shipman said a public hearing needs to be set concerning this.

Ms. Natalie de Blois asked staff assistance in forming a Neighborhood Conservation Combining District.

Mr. James W. Davis discussed the southern extension of Loop 1 and asked Council to support it.

Ms. Margaret Quadlander talked about housing for low-income people.

Mr. Pierrepont E. Bartow asked Council to approved additional footage needed to connect with an existing approach main.

Mr. John E. Simmons discussed the Austin Executive Airpark. He said he was appalled at the City Manager report given last week whereby the airpark was not recommended for purchase by the City.

CONSENT ORDINANCES

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (6-0 Vote, Councilmember Urdy absent.)

Operating Budget Amendment

Amended the 1985-86 Annual Operating Budget by:

- a. Appropriating \$17,256.00 from the General Fund Ending Balance to the Housing and Community Services Department to fund a temporary overnight shelter for homeless/transient individuals and authorizing a contract with the Salvation Army for operation of said shelter.

Name Changes

Approved the following name changes:

- a. South Central Growth Corridor Municipal Utility District No. 1 to Southland Oaks Municipal Utility District No. 1.

- b. South Austin Municipal Utility District No. 1 to Village at Western Oaks Municipal Utility District No. 1.
- c. Courtyard Drive from west of Loop 360 to the west end to West Courtyard Drive. (Request submitted by all adjoining property owners.)

Release of Easement

Authorized release of the following easement:

- a. The Public Utility and Drainage Easement retained at the vacation of the West 6th Street Alley (300 Block) as recorded in Volume 7859, Page 543 of the Travis County Real Property Records, Ordinance No. 820715-E. (Request submitted by Armbrust & Brown on behalf of Lamar Savings Association.)

Item Postponed

Postponed until December 5, 1985 consideration of amending the Northwest Land Area Land Use Guidance Plan by establishing a corridor for higher intensity uses and providing a method for determining equivalent uses.

Annexation Ordinances

Passed through FIRST READING ONLY of the following annexation ordinances:

- a. Approximately 1,718 acres of land out of the Santiago Del Valle Grant - Platted and Unplatted land for full purposes. C7a-85-023.
- b. Approximately 47.93 acres of land out of the L. Fritz Survey No. 291, the John C. Brooks Survey No. 53 and the J.C. Harrelson Survey No. 78 (portions of North Oaks and North Oaks Section 2 and Unplatted land for full purposes). C7a-85-024.
- c. Approximately 1,033 acres of land out of the J.A.G. Brooks Survey No. 79, Thomas H. Mays Survey No. 89, Thomas C. Collins Survey No. 61, Menucan Hunt Survey No. 88, Samuel Cushing Survey No. 70 and other Surveys (portion of Yager Lane, River Oaks Drive and Berrywood Drive, Platted and Unplatted land for full purposes). C7a-85-024
- d. Approximately 642 acres of land out of the Jesse Williams Survey No. 62 and the Thomas Anderson League No. 17 (Oak Hill United Methodist Church Addition and Unplatted land for full purposes). C7a-85-026

- e. Approximately 1,256 acres of land out of the Thomas Anderson League No. 17, (Unplatted land for full purposes). C7a-85-028
- f. Approximately 2,413.27 acres of land out of the Santiago Del Valle Grant and the Garner Mayes Survey (Bergstrom Air force Base for full purposes). C7a-85-030
- g. (Converting territory currently annexed for limited purposes). Approximately 43 acres of land out of the Jas. Howlett Survey and the Henry Rhodes Survey - platted land and a portion of Spricewood Springs Road for full purposes. C7a-85-031
- h. Approximately 25.08 acres of land out of the Jas. Trammel Survey - Flournoy Acres, Section 4, Sunset Valley, Section 2, and a portion of Jones Road for full purposes. C7a-85-032
- i. Approximately 2.34 acres of land out of the Henry P. Hill League No. 21 - portion of Walsh Tarlton Lane for full purposes. C7a-85-035
- j. (Converting territory currently annexed for limited purposes). Approximately 199.42 acres of land out of the Henry P. Hill League No. 21 and the Alex Eanes Survey No. 500 (portions of Old Walsh Tarlton Lane, Capital Parkway, Montebello Road and Wilderness Drive, Treemont Phase A, Section 1, Treemont Phase A, Section 2 and Treemont Phase b, Section 2, and Unplatted land for full purposes). C7a-85-035
- k. Approximately 8.98 square miles of land out of the L. Fritz Survey, Alex Dunlop survey No. 594, A. E. Livingston Survey No. 455, M. P. Paschall Survey No. 40, P.M. Rozzell Survey No. 641 and other Surveys, Platted and Unplatted land for limited purposes. C7a-85-034
- l. Approximately 17.4 square miles of land out of the James Jett Survey No. 1, the W. B. Royal Survey No. 75, the R. L. Preece Survey No. 2 the John Jackson Survey No. 5, the James Cole Survey No. 542, the B. Payne Survey No. 288 and other Surveys in Travis County, Texas, Platted and Unplatted land for limited purposes. C7a-85-034 (Excluding River Place MUD)
- m. Approximately 1.74 square miles of land out of the James Rynearson Survey No. 34, M. Thomas Survey No. 509, Casper Ditmar Survey No. 611, A. Neppin Surgey No. 600, and other surveys for limited purpose.(Upper Williamson Creek Area) C7a-85-010
- n. Approximately 1,391 acres of land out of the A. Neppin Survey No. 600, James Rynearson Survey No. 34, H. McClure Survey No. 94, A. Bowles Survey No. 93 and other surveys for full purposes. (Upper Williamson Creek Area) C7a-85-010

- o. (Converting territory currently annexed for limited purposes). Approximately 682 acres of land out of the A. Neppin Survey No. 600, James Rynearson Survey No. 34, H. McClure Survey No. 94, A. Bowles Survey No. 93 and other surveys. (Upper Williamson Creek Area) C7a-85-010
- p. Disannexing approximately 2.654 acres of land out of the James D. Goode Survey No. 30. (Frank Brandon Tract) C7a-85-001
- q. Approximately 2.654 acres of land out of the James D. Goode Survey No. 30 for limited purposes. (Frank Brandon Tract) C7a-85-001

First Reading of Annexation Ordinance

During the consent motion the following annexation was requested to be postponed at the City Manager's direction. Later the motion was made on Councilmember Shipman's motion, Councilmember Humphrey's second, to pass through FIRST READING ONLY an ordinance annexing the following which was approved by a vote of 7-0:

Approximately 97.37 acres of land out of the Elisha Allen Survey No. 2 in Williamson County, Texas, proposed Maconda Park for full purposes. C7a-85-009.

Annexation Deleted

At the City Manager's request the following annexation was deleted from the agenda for approval:

(Converting territory currently annexed for limited purposes). Approximately 481.82 acres of land out of the Theodore Wahrenberger Survey, the Menucan Hunt Survey No. 105, the Menucan Hunt Survey No. 106 and the Peter Conrad Survey No. 112) Milwood Subdivisions and Unplatted land for full purposes. C7a-84-046

Zoning Ordinances

Amended Chapter 13-2 and 13-2(A) of the Austin City Code (Zoning Ordinance) to cover the following changes:

| | | |
|---------------------|----------------------|-----------|
| LAMAR SAVINGS ASSN. | 309-321 W. 7th, 617- | From "CS" |
| By David Armbrust | 619 Guadalupe | to "CS-1" |
| C14-84-342 | | |

Heard and granted December 6, 1984, (6-0). Councilmember Mark Rose absent. Conditions have been met as follows: Conditions have been set out in special permit.

R.S. MILNER
By Allen H. Kaplan
C14-85-003

1633-1653 E. Riverside
Drive

From "LR"
to "GR"

Heard and granted April 4, 1985, (6-0). Conditions have been met as follows: (1) Development restricted to that shown on site plan attached as Exhibit "A" to the ordinance; (2) Restrictive Covenant incorporating conditions imposed by Council has been executed.

Speed Zones

Amended the Austin City Code to modify the following speed zones:

SECTION 11-2-100(b) - 40 MPH

Delete: Cameron Road from U.S. 183 to north City Limit
(580 feet north of Brighton Lane)

Add: Cameron Road from Rundberg Lane to north City Limit
(580 feet north of Brighton Lane).

Zoning Ordinance

Passed through second and third readings of an ordinance amending Chapter 13-2 and 13-2(A) of the Austin City Code (Zoning Ordinance) to cover the following change:

a. COUNTY LINE
ASSOCIATION
By David Armbrust
C14-85-272

6438 R.M. 2244

From "I-SF-2"
to "LO"

EMERGENCY PASSAGE OF ORDINANCE

ARCHERY RANGES AND FIREARM FACILITIES

The Council, on Councilmember Rose's motion, Councilmember Humphrey's second, passed through SECOND AND THIRD READINGS of an ordinance amending Article IV of Chapter 8-3 and Section 9-1-4 of the Austin City Code of 1981, establishing regulations for the issuance of permits for the operation of archery ranges and facilities where firearms are discharged, authorizing the discharge of firearms at an approved shooting facility, providing for severability. (7-0 Vote)

Prior to the vote, Andy Martin, Assistant City Attorney, went over the amendments and said they have been approved by all parties concerned.

Al Golden, representing the adjoining neighborhood, said the proposed design will make it impossible for the bullets to rise and stated the neighborhood is comfortable with the ordinance.

Ron Hill, National Rifle Association and Capital City Gun Club, addressed the amendment offered by Mayor Cooksey on November 14, 1985 concerning the prohibition of automatic guns such as machine guns at rifle ranges in the City. Mr. Hill said this would mean that semi-automatic guns cannot be shot either. Mayor Cooksey asked what guarantee there would be that they would be used in a controlled way and Mr. Hill told him no more than with any others. Mayor Cooksey said he would pull down his amendment for the present and "see if the Police and public want the protection my ordinance provides."

UNIVERSITY HILLS BRANCH LIBRARY

The Council, on Councilmember Rose's motion, Councilmember Humphrey's second, approved naming the new northeast branch library on Loyola the University Hills Branch Library. (6-0 Vote, Councilmember Shipman abstained.)

ORDINANCE AMENDMENT

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed an ordinance amending Ordinance No. 850117-F (C14-84-335) by changing part 4 to part 5 and adding a new part 4 thereto, 6726 Bee Caves Road with EMERGENCY PASSAGE OF ORDINANCE. (7-0 Vote)

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed an ordinance amending Ordinance No. 850117-G (C14-84-336) by amending the Site Plan, 6438 Bee Cave Road, with EMERGENCY PASSAGE OF ORDINANCE. (7-0 Vote)

CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, adopted the following resolutions in one consent motion: (7-0 Vote)

Lease Agreement

Approved a lease agreement with Seabrook and Associates, Inc., for a field office for the Construction Inspection Division of the Public Works Department at 12885 Research Boulevard.

Quitclaim Deeds

Authorized execution of Quitclaim Deeds to the following: George W. and Roscoe Hughes; Twelfth and Blanco, Ltd.

Release of Easements

Authorized release of the following easements:

- a. The 5' Public Utility Easement along the north side of Lot 34 and along the south side of Lots 35 and 36, Hancock Park, Duncan Lane at Kim Lane. (Request submitted by Concordia Lutheran College)
- b. An Electric Easement of record in Volume 2305, Pages 30 and 31 of the Travis County Real Property Records and located on Oak Plaza Subdivision. (Request submitted by J. Leroy Bush on behalf of Mr. Dick Baker)

License Agreement

Approved entering into the following license agreement:

- a. To allow the encroachment of a utility tunnel under the 600 Block of Guadalupe Street. (Request submitted by Armbrust & Brown on behalf of Lamar Savings Association.)

Capital Improvements Program

Approved acquisition of a 1.536 acre tract of land located on the north side of McCarty Lane west of One Oak Road, for the purpose of the westward extension of William Cannon Drive from Brodie Lane to U.S. Highway 290 West. CAPITAL IMPROVEMENTS PROGRAM No. 76/62-12.

Authorized amendments to the following Professional Services Agreements:

Black & Veatch Engineers-Architects, to provide construction management services for the preparation of bid documents and construction of a portion of Riverplace Boulevard, \$124,800.00. CAPITAL IMPROVEMENTS PROGRAM No. 85/22-27

Approved selection of professional environmental services for the Third Party Environment Impact Statement, Tie-Ons to the Onion Creek Wastewater Interceptor, \$100,000.00. (Prime Recommendation: Wapora, Inc.)

Approved the following change order: In the amount of \$127,668.00 to Austin Engineering Company for Cameron Road Phase I & II Paving & Drainage Improvements. (3.33% increase of the original contract)

Contracts Approved

Approved the following contracts:

- a. ELECTRIC UTILITY CONSTRUCTION CO. - CAPITAL IMPROVEMENTS PROGRAM -
5401 South Sheridan
Tulsa, Oklahoma
Construction of Overhead Electric
Distribution Facilities at U.S
Highway 183, Electric Department
Total \$87,398.55 C.I.P. No.
86/14-02
- b. ELECTRIC UTILITY CONSTRUCTION CO. - CAPITAL IMPROVEMENTS PROGRAM -
5401 South Sheridan
Tulsa, Oklahoma
Construction of Overhead Electric
Distribution Facilities at
Highway 71 East and Thornberry
Road North to Hornsby Bend
Treatment Plant, Electric
Department
Total \$39,506.19 C.I.P. No.
86/14-02
- c. ARCO SOLAR, INC. - PV300, Grid-Interactive
9351 Deering Avenue
Chatsworth, California
Centralized Photovoltaic Plant,
Electric Utility Department
Total \$2,700,500.00 84-S372-FW
- d. ENVIRON, INC. - Open Office Systems Furniture,
917 West Anderson Lane
Austin, Texas
Public Works Department
Total \$67,519.71 85-0504-DC
- e. HUSKEY INDUSTRIES - Powdered Activated Carbon, Water
Route 5, Box 275
Dunnellon, Florida
and Wastewater Department
Twelve (12) Month Supply Agreement
Items 1 & 2 - \$44,693.00
85-0480-CM
- f. QUALIFORM, INC. - Administration of Pharmaceutical
1624 East Anderson Lane
Austin, Texas
Dispensing Program, Health
Department
Twelve (12) Month Supply Agreement
Total \$1,335,377.00 86-S127-LI
- g. SOUTHWEST SURGICAL SYSTEMS - Gauze Fluffs and Tonsil Sponges,
P. O. Box 3732
Austin, Texas
Brackenridge Hospital
Twelve (12) Month Supply Agreement
Total \$29,352.72 BS5-1379
- h. SIEMENS MEDICAL SYSTEMS - Mobile C-Arm Fluoroscopic Imaging
13003 Southwest Freeway, Suite 180
Staiford, Texas
System, Brackenridge Hospital
Total \$105,606.00 BS5-1378
- i. AT&T INFORMATION SYSTEMS - Telecommunications System, Public
3721 Executive Center Drive
Austin, Texas
Event Facilities
Total \$83,431.42 85-S311-FW

- j. AMIGOS BIBLIOGRAPHIC COUNCIL, INC - Continuance of membership in bibliographic service and consultant services, Library
11300 North Central Expressway
Suite 321
Dallas, Texas
Sixty (60) Months
Total \$250,000.00 86-S066-EF

Poison Control Line

Approved a contract with Texas State Poison Center in Galveston for a poison control line for the Austin and Travis County community in the amount of \$33,091 for 12 months.

Homeless

Authorized submission of a grant application to the Hogg Foundation for Mental Health for development of a Model Interagency Program serving the Austin Homeless in the amount of \$12,000.00.

South First Street Joint Venture

Approved an inducement resolution by Austin Industrial Development Corporation for industrial revenue bonds for financing the South First Street Joint Venture Project to be located at 2001-2003 South First Street, in the amount of \$1,220,000.00.

Audit and Finance Committee

Appointed Councilmember Humphrey to the Audit and Finance Committee.

Public Hearings Set

Set public hearings on the following:

- a. Provisions of Tax Equity and Fiscal Responsibility Act (TEFRA) for the following multifamily projects:
 - (1) Stassney Wood Apartments: December 12, 1985 at 2:00 p.m.
- b. Austin Industrial Development Corporation financing of a commercial project at 210-203 East Sixth Street (Lots 11 & 12) Block 57 Austin, Texas.
 - (1) Development Area public hearing: December 12, 1985 at 3:00 p.m.
 - (2) Commercial Project public hearing: December 12, 1985 at 3:30 p.m.
 - (3) TEFRA public hearing: December 12, 1985 at 3:30 p.m.

Private Industry County, Inc.

Appointed Natalia Sanchez as the small minority women-owned business representative to the Austin/Travis County Private Industry County, Inc.

MUD'S

Approved consenting to the execution by Williamson County MUD No. 2 of an agreement between the MUD and Hyland Joint Venture, Hyland North Joint Venture and Highland Management, Inc., for the acquisition of wastewater treatment capacity in the Brushy Creek Regional Wastewater Treatment System for the Brushy Creek North Subdivision. (7-0 Vote)

Public Service Facilities Agreement

Approved a Public Services Facilities Agreement between the City, William Cannon Joint Venture, Storm Development and George Murfee for the construction of a 24" water line. (City cost participation \$46,131.20).

Davis Lane Pump Station

Approved the Davis Lane Pump Station Construction Contract between the Village at Western Oaks Municipal Utility District and W.T. Stephens Contracting, Inc., in the total amount of \$4,802,500.00.

Lease Amendment

Approved amending a lease with Morin M. Scott, Trustee (Brown Building) for the Communications Department.

Pipe Line License Agreement

Approved entering into a Pipe Line License Agreement with the Southern Pacific Transportation Company for placement of a twelve inch (12") Sanitary Sewer Pipe across Southern Pacific Transportation Company's right-of-way to serve the proposed Scofield Farms Subdivision.

ITEM POSTPONED

Postponed until December 5, 1985 is consideration of leasing 135 acres of land out of Lake Walter E. Long Metropolitan Park to the Austin Aqua Festival together with a 60 foot access easement.

CAPITAL IMPROVEMENTS

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, authorized amendments to the following Professional Services Agreement: (7-0 Vote)

Howard Needles Tammen & Bergendoff, Austin Gateways
Access Study (Downtown East/West Arterial Study),
\$157,900.00. CAPITAL IMPROVEMENTS PROGRAM No. 85/62-21.

BRACKENRIDGE HOSPITAL ACCOUNTS RECEIVABLE

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted a resolution extending the contract with Chilton Corporation for accounts receivable collection services for Brackenrdige Hospital for one month with final action on December 19, 1985. (7-0 Vote)

COMPREHENSIVE PLAN STEERING COMMITTEE

Council had before them a resolution to consider appointments to the 78 member Comprehensive Plan Steering Committee and the chairman of same. Council decided to hold a work session on this subject on December 3, 1985 and take action on December 5, 1985.

EXTENSION OF LOOP 1 FROM U.S. HIGHWAY 290 TO STATE HIGHWAY 45

Council had before them for consideration a resolution concurring with the State Department of Highways and Public Transportation in extension of Loop 1 from U.S. Highway 290 to State Highway 45.

Motion

Councilmember Rose made a motion, seconded by Mayor Pro Tem Trevino to adopt a resolution concurring with the State Department of Highways and Public Transportation in extension of Loop 1 from U.S. Highway 290 to State Highway 45.

Councilmember Rose then passed out to Council a notebook of information containing State Highway Commission Minute Order, Cost Estimate/Related Information on South Extension of Loop 1 (Mopac), Alternative Alignments for South MoPac Blvd., Resolution Adopted by the Urban Transportation Commission supporting the southern extension of MoPac, 4-Year Letting Schedule of the Project Development Plan, Letting Data for FY 75 (Sept. 74 - Aug. 75), Watershed Crossing Summary. A copy of his report is on file in the City Clerk's office. Councilmember Rose then discussed his views on the extension and illustrated his points by use of maps.

Councilmember Shipman stated, "I would like very much to request that the information presented by Mark Rose, because a lot of it concerns the questions I had directed relevant to the minute order, be included in the public record, not only in the minutes but in public record, at the City Clerk's office, (Councilmember Rose's report is on file in City Clerk's office) and at the Austin History Center. One of the questions regarding the minute order specifically asks, as stated November 1, 'since it is understood portions of the roadway will be constructed by Transportation, Inc., will an environmental impact statement be required for that length of the roadway', and that is the one question not answered and I would like a yes or no." Councilmember Rose said, "It is my understanding that the minute order calls for the environmental impact studies be done through the whole course of the road." Councilmember Shipman stated, "The minute order does require provision for environmental report which will follow stated and federal guidelines and I know the Federal Government requires it for any funding of their projects but it doesn't reference any private entity." Councilmember Rose said, "The minute order does require the road to meet the Federal funding." Councilmember Shipman asked, "Would that be for the whole length of the roadway? I want that in the public record because it ought to be just a yes or no."

Mr. Allen Brecher, Director of Urban Transportation, stated, "The way I read this the Transportation Corporation would be limited to the project planning, preliminary engineering and acquisition of right-of-way. There would be no construction, and I would anticipate that the construction would be using Federal monies. Any Federal monies that are used would require extensive environmental impact statement process, very similar to what has been gone through on US 183 project or any other project that the State has."

Friendly Amendment

Councilmember Shipman offered a friendly amendment that the letter of transmittal accompanying the minute order state that any future construction funding for MoPac South of U.S. 290 not jeopardize or prolong construction funding improvements for 183 and Ben White Boulevard. Councilmember Rose accepted the amendment "because it is in fact the way the process operates."

Mayor Cooksey asked Mayor Pro Tem Trevino to take the chair. The Mayor then proceeded to explain, by use of maps, why he is opposed to the extension of Loop 1 from U.S. Highway 290 to State Highway 45. The Mayor discussed the issues of the Save Barton Creek plan as the basis of his not wanting the extension.

Motion Amended

Mayor Cooksey offered an amendment to the motion "by adding a stipulation that by the passage of this resolution we are not advocating the extension of MoPac beyond the outer loop and that in fact we are opposed to the extension of MoPac beyond the outer loop".

Mayor Pro Tem Trevino stated, "That was offered as an amendment. Is the author of the motion willing to accept that as a friendly amendment?" Councilmember Rose asked, "As far as the extension of MoPac south of the outer loop, how does that fit with the land holdings that are beyond or is that part of the Circle C MUD south of that or is the border of the MUD at that intersection?" Mr. Brecher said, "The border of the MUD of Circle C is just immediately south of the Arterial 11 intersection, the southern extremity of the district."

Amendment Not Accepted

Councilmember Rose did not accept the amendment.

Second to Amendment to Motion

Councilmember Carl-Mitchell seconded the amendment to the motion.

Discussion followed, then Mayor Pro Tem Trevino asked City Attorney Isham what the procedure should be for voting. He was told to call for the roll call on the amendment to the motion first.

Roll Call - Amendment to Motion - FAILED

3-4 Vote, Councilmembers Humphrey,
Rose, Urdy and Mayor Pro Tem
Trevino voted No.

Roll Call, Original Motion with Friendly
Amendment

6-1 Vote, Mayor Cooksey voted No.

RECESS - Council recessed its meeting from 4:20 to 4:40 p.m.

APPROACH MAIN IMPROVEMENTS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, adopted a resolution approving a developer contract regarding approach main improvements for Viewpoint at Williamson Creek Phase I and Phase II Subdivisions.

PUBLIC HEARING - BLACKSHEAR URBAN RENEWAL AREA

Mayor Cooksey opened the public hearing set for 2:00 p.m. on plan change in the Blackshear Urban Renewal Area, 1602-1602½ East 7th.

Paula Phillips, Director, Housing & Community Services Department, reviewed.

Antonio Wehnes said he and his partners purchased the lot at 1602 East 7th Street and in an effort to change the zoning, need

to change the Blackshear Urban Renewal Plan.

A man who did not identify himself, spoke in favor of the change.

Stephey Juan Willis, law clerk, spoke in favor of the change.

Ms. Ora Lee Noble, chairman, Blackshear Group, and Ms. O.B. Conley spoke against the business being put at the site in question.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, closed the public hearing and approved the plan change. (5-2 Vote, Councilmembers Carl-Mitchell and Shipman voted No.)

Related Zoning Case

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, passed through FIRST READING ONLY the following zoning change: (5-2 Vote, Councilmembers Carl-Mitchell and Shipman voted No.)

-84 LEONARD MARTINEZ 1602-1602½ East
469 By Antonio Wehnes 7th Street

From "A" 1st H&A (SF-3)
To "LO" (as amended)
RECOMMENDED restricted
to law office use, recom-
mended that Community Housing
Board amend Urban Renewal
Plan to allow this use.
FIRST READING ONLY

PUBLIC HEARING - UTILITY EASEMENT THROUGH A PORTION OF BULL CREEK PARK

Mayor Cooksey opened the public hearing set for 2:30 p.m. on dedication of a permanent 20' Public Utility Easement through a portion of Bull Creek Park.

No one appeared to be heard. Mayor Cooksey asked if all prudent and reasonable planning had been done to preserve the park. Mr. Joe Morahan, Public Works Assistant Director, answered affirmatively.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance approving dedication of a permanent 20' public utility easement through a portion of Bull Creek Park. (7-0 Vote)

APPEAL POSTPONED

The public hearing scheduled for 4:30 p.m. on an appeal from Mr. Vernon Baker regarding Lost Canyon, 1531 Barton Springs Road, SP-85-057, was postponed until December 5, 1985 at 7:00 p.m. There was a problem with the sending out of the notices.

PUBLIC HEARING - UTILITY EASEMENT THROUGH A PORTION OF BLUNN CREEK PARK

Mayor Cooksey opened the public hearing set for 3:00 p.m. on dedication of a permanent 25' public utility easement through a portion of Blunn Creek (Little Stacy) Park.

No one appeared to be heard. Mayor Cooksey asked if all prudent and reasonable planning had been done to preserve the park. Mr. Joe Morahan, Assistant Director of Public Works, answered affirmatively.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Shipman's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance dedicating a permanent 25' Public Utility Easement through a portion of Blunn Creek (Little Stacy) Park. (7-0 Vote)

PUBLIC HEARING - VARIANCE

Mayor Cooksey opened the public hearing set for 3:30 p.m. on an appeal from Charles Pieper of the Planning Commission's decision to deny a variance to the Lake Austin Watershed Ordinance. C3V-84007.

No one appeared to be heard.

Motion

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, closed the public hearing and denied an appeal from Charles Pieper. (7-0 Vote)

PUBLIC HEARINGS SET

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, set public hearings January 9., 1986 at 7:00 p.m. on the following:

- (1) Mr. Hilbert R. Maldonado's request for a public hearing on an appeal on the Planning Commission's decision concerning the building of 308 apartments at 6600 Ed Bluestein. (C14p-85-034)

- (2) Mr. Thomas Miner's request for a public hearing on an appeal of the Planning Commission's decision regarding 6705-6713 Manor Road. File No. C14p-85-010.

REQUEST WITHDRAWN

Mr. Steve Pina withdrew his request that Council set a public hearing on an appeal of the Planning Commission's decision regarding Summit Crossing Apartment Project. C14p-85-039.

PUBLIC HEARING ON NORTHWEST AREA LAND USE PLAN POSTPONED

Postponed until December 5, 1985 at 6:30 was the public hearing scheduled for amendments to the Northwest Area Land Use Guidance Plan.

HEARING POSTPONED

Postponed until January 16, 1986 is a public hearing on an appeal of demolition order issued by the Building Standards Commission for 2504 Walter Street (rear). Due to health problems the appellant needs more time.

APPEAL WITHDRAWN

Mrs. Jean Sewell withdrew her appeal on site development Permit No. 7719, 217 Commons Ford Road.

APPEAL POSTPONED

Council postponed until December 12, 1985 at 7:00 p.m. an appeal from Mr. Rusty Malik of the Planning Commission's decision on Case No. RZ-85-048 (site plan approval) on behalf of the Sigmar Corporation.

RENAISSANCE MARKET COMMISSION

The board and commission report on an amendment to the Renaissance Market Area Ordinance was presented. The ordinance will be brought back to Council for their consideration on December 5, 1985 at 2:00 p.m.

RESOURCE MANAGEMENT COMMISSION

Postponed until December 5, 1985 is the Resource Management Commission report concerning issues relating to the potential purchase of Southern Union Gas.

ZONING HEARINGS

Mayor Cooksey announced Council would hear zoning cases scheduled for 4:00 p.m. Council heard, closed the public hearings and either approved the ordinance, approved on first reading only, or, postponed cases to future dates. Action concerning each case follows.

r-85 LARRY NIEMANN
015 By Kristaponis
Gregory & Assoc.

15718-16022 North
1H-35

From "I-SF-2"
To Tr. 1 "LI"
Tr. 2 "CS"
Tr. 3 "CS"

RECOMMENDED subject to
120 feet of right-of-way
for Arterial 2 and com-
pliance with PRA ordinance
site plan requirement for
Tract 3 prior to passage of
ordinance on entire site.

GRANTED SUBJECT TO
PLANNING COMMISSION
RECOMMENDATION WITH
ROLL-BACK TO "GR"
ON OR BEFORE 1-1-91;
NO JUNKYARDS OR MESSAGE
PARLORS.

(On Councilmember Carl-Mitchell's motion, Councilmember Rose's second,
7-0 Vote)

r-85 LAKELAND JOINT
173 VENTURE
By Brad Burns

2305, 2411, 2715
R.M. 620 South

From "I-RR"
To "GO"

RECOMMENDED subject to
60 feet of right-of-way
from centerline of R.M. 620

GRANTED AS RECOMMENDED

(On Councilmember Urdy's motion, Mayor Pro Tem Trevino's second,
4-3 Vote, Councilmembers Carl-Mitchell, Humphrey and Shipman
voted No.)

r-85 SWING LANE JOINT 2513 R.M. 620
196 VENTURE North
By Richard D.
Jones

From "I-SF-2"
To "GO"
RECOMMENDED subject to
60 feet of right-of-way
from centerline F.M. 620
and 35 feet right-of-way
from centerline Swing Lane,
ingress off 620 and ingress
and egress off Swing Lane,
and limited to 0.35-1.0 FAR

GRANT "LO" .30 FAR
40' HEIGHT LIMIT

(On Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, 7-0 Vote)

r-85 OAK HILL HEIGHTS 7300 Hwy 290 West
261 JOINT VENTURE
By Ken Manning

From "I-RR"
To Tr. 1 "LR"
Tr. 2 "GR"
RECOMMENDED subject to
35 feet of right-of-way
from centerline Birdview
joint access with adjacent
property owner.

GRANTED "LR" SUBJECT
TO FINAL SITE PLAN
APPROVAL ADMINISTRATIVELY
APPROVED

(On Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, 5-2 Vote, Councilmembers Rose and Shipman voted No.)

EXECUTIVE SESSION

Mayor Cooksey announced Council would go into executive session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss the following matters; and action, if any, on the matters will be taken during the public meeting after the conclusion of the executive session:

- a. Lease of Real Property - Municipal Office Complex - Section 2, Paragraph f.
- b. Board & Commission appointments - Section 2, Paragraph g.
- c. Pending litigation, including but not limited to:
 - (1) Charles Marsh v. City of Austin, et al - Section 2, Paragraph e.

RECESS - Council recessed from 7:30 p.m. to 9:30 p.m.

BOARD & COMMISSION APPOINTMENTS

The following motions were made to appoint board and commission members:

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, approved the following: (6-0 Vote, Councilmember Urdy out of the room.)

Audit & Finance Committee - Councilmember Humphrey

Private Industry Council - Natalie Sanchez

Airport Advisory Board - Ginny Ballard, Girard Kinney

Elisabet Ney Museum Board of Directors - Devon Susholtz

Commission for Women - Vangie Elizondo

Water and Wastewater Commission - Dr. Larry Deuser

Community Education Consortium - Two confirmed:

Mexican-American Business/Professional Women's Association

Capital City Chamber of Commerce

Construction Advisory Committee - James Wise, Ira Crofford

Zoning Oversight Committee - Michael Curry, Nik Brown, Gail

Beall, Will Dibrell, Brooks Kasson, Bob Leonard,

David Armbrust, Terry Bray, Ed Wendler Jr. and

David Bodenman

CORRECTION TO RESTRICTIVE COVENANT

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, approved the following: (7-0 Vote)

-69 R. OWENS COMPANY
233 OF TEXAS, INC.
By Thomas L. Davies

1200 Mearns
Meadow Blvd.

CORRECTION TO
RESTRICTIVE COVENANT
APPROVED

NEIGHBORHOOD CONSERVATION PROGRAM

No action was taken on Councilmember Shipman's item to Council concerning neighborhood conservation program.

MEXICAN RELIEF

No action was taken on Mayor Cooksey's and Mayor Pro Tem Trevino's item to consider a resolution in support of the Texas Response - Citizens for Mexican Relief, and to request City Manager to coordinate a program to give city employees the opportunity to donate funds to the relief effort.

PUBLIC HEARING - HILL COUNTRY ROADWAY ORDINANCE

Mayor Cooksey opened the public hearing set for 5:00 p.m. on Hill Country Roadway Ordinance.

Councilmember Rose announced he will abstain from the discussion and vote because he has interest in a water district which will be affected by the ordinance.

Curtis Williams, Office of Land Development Service, reviewed the proposed changes to the ordinance.

David Armbrust, member of the ad hoc committee, discussed the meetings they have had.

John Lewis, Hill Country Property Owners Association, discussed their concerns.

Mike Young said he owns land which will be rendered worthless and useless with the ordinance being considered.

Paul Lenahan discussed his client's lot sizes, set-backs and problems.

Other speakers were Christopher Benjamin, J.O. Kahle, Alex Young, Gayle Beal, Toby Toberman, Bob Leonard, Robert Welsh, Wayne Foss, Bob Nichols, Jay Powell and Ross Anderson.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, closed the public hearing; action will be taken December 5, 1985. (5-0 Vote, Councilmember Rose abstained, Councilmember Shipman out of the room.)

ZONING HEARINGS

Mayor Cooksey opened the public hearings set for 7:00 p.m. on the following zoning cases. Council heard, closed the public hearings and took action as indicated with each case.

p-84 AUSTIN TOWN LAKE 101-303 South
108 VENTURE Congress
By David Ambrust

878, 427 sq. ft. of office,
hotel, retail, bar and
restaurant.
EXISTING ZONING: "C-1" 2nd
(CS-1) and "L"
PROPOSED ZONING: "C-2" 4th
(CS-1), "C-2" 2nd (CS-1)
and "L"

GRANTED AS FOLLOWS:Motion

Councilmember Carl-Mitchell made a motion, seconded by Councilmember Rose to grant the special permit subject to an option agreement on the access on Miller Street to Riverside and to be reviewed by staff and the City Council prior to final approval; that the other intersection improvements also be agreed upon by the applicant; those improvements have to be on the ground before the building permit is issued (have to be finished before the building is finished and the design features that the applicant has submitted be adhered to: the 150' set-back from the lake to the hotel tower, the height reduction in the hotel tower, the massive reduction in the office building and that the total floor area ratio of the project not exceed 3.0

Friendly Amendment

Councilmember Humphrey offered a friendly amendment that the this be "subject to having some sort of public transportation or Capital Metro access there, if Capital Metro so choose and secondly, that they meet with Resource Management Department to make sure that they have the highest water conservation and energy conservation programs available. Councilmember Carl-Mitchell accepted the friendly amendment.

Friendly Amendment

Councilmember Shipman offered a friendly amendment "that there

would be certification by the Urban Transportation Department, in writing to the City Council, that Criteria 1 and Criteria 6 of the special permits are satisfied". Councilmember Carl-Mitchell accepted the friendly amendment.

Friendly Amendment

Mayor Cooksey offered a friendly amendment to consider the American-Statesman and work with them. Councilmember Carl-Mitchell accepted the friendly amendment.

Roll Call on Motion with Friendly Amendments

7-0 Vote

-85 NORTH LAMAR AREA
149 STUDY
By Office of
Land Develop-
ment Services

An area generally
bounded by Howard
Lane on the northm
IH-35 on the east,
Braker Lane on the
south and Burnet
Road on the west.

From "I-RR", "I-SF-2" &
"I-SF-3"
To Appropriate Zoning
NOT RECOMMENDED

RECOMMENDED subject to 40
feet of right-of-way from
centerline Miller Lane dedica-
tion of easement for Hike and
Bike Trail, FAR limited to 3.2,
additional parking spaces as
determined by staff (as least
60 for health center) sidewalk
on Miller, and intersection
improvements.

GRANTED: 2 a&b; 3; 4; 5 a-n; 6 a-h; 7, 17a, 22 a&b; 23, 27, 29 a-o

POSTPONED: 8 a&b for six months

15 a-c to December 19, 1985 at 7 p.m.

16 a&b to December 12, 1985 at 5 p.m.

SPECIAL MEETING ON REMAINDER OF CASES: December 3, 1985 at 6:30 p.m.

POSTPONED INDEFINITELY: 24 a-e

(On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's
second, 7-0 Vote)

ADJOURNMENT

Council adjourned its meeting at 2:00 a.m., November 22, 1985.